

FINAL DISPOSITION

SC/ST-6

THE ☒ SUPERIOR/ ☐ STATE COURT OF CLAYTON COUNTY, GEORGIA

FINAL DISPOSITION

THE STATE OF GEORGIA

VS.

CLAYTON CO., GA

CRIMINAL ACTION NO. 2000-CR-00920-2

OFFENSE(S) CT.I-SPEEDING; CT.II-NO PROOF OF

INSURANCE; CT.III-POSSESSION OF COCAINE

JERRY LAMAR LETT

2000 JUL 13 AM 10:15

MAY TERM, 2000

☒ PLEA:☒ NEGOTIATED☒ GUILTY ON COUNT(S) I, II, III☐ NOLO CONTENDERE ON

COUNT(S)

☐ TO LESSER INCLUDED

OFFENSE(S)

ON COUNT(S)

☐ JURY☐ NON-JURY☐ COUNT(S)☐ NOT GUILTY ON

COUNT(S)

☐ GUILTY OF INCLUDED

OFFENSE(S) OF

ON COUNT(S)

☐ OTHER DISPOSITION☐ NOLLE PROSEQUI ORDER ON

COUNT(S)

☐ DEAD DOCKET ORDER ON

COUNT(S)

(SEE SEPARATE ORDER)

☒ DEFENDANT WAS ADVISED OF HIS/HER RIGHT TO HAVE THIS SENTENCE REVIEWED BY THE SUPERIOR COURTS SENTENCE REVIEW PANEL.☒ FELONY SENTENCE☐ MISDEMEANOR SENTENCE

WHEREAS, the above-named defendant has been found guilty of the above-stated offense, WHEREUPON, it is ordered and adjudged by the Court that: The said defendant is hereby sentenced to confinement for a period of CT.I-TWELVE (12) MONTHS, CT.II-DISMISSED, CT.III-FIVE (5) YEARS CONCURRENT WITH CT.I.

in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law. HOWEVER, it is further ordered by the Court.

☒ 1) THAT the above sentence may be served on probation

☐ 2) THAT upon service of _____ of the above sentence, the remainder of _____ may be served on probation PROVIDED that the said defendant complies with the following general and other conditions herein imposed by the Court as a part of this sentence.

☒ GENERAL CONDITIONS OF PROBATION

The defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation: PURSUANT TO O.C.G.A. 17-10-15(c), IT IS HEREBY ORDERED THAT THE ABOVE DEF.

☒ 1) Do not violate the criminal laws of any governmental unit. SUBMIT TO HIV TESTING AS REQUIRED BY THAT STATUTE.☒ 2) Avoid injurious and vicious habits - especially alcoholic intoxication and narcotics and other dangerous drugs unless prescribed lawfully.☒ 3) Avoid persons or places of disreputable or harmful character.☒ 4) Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him/her at home or elsewhere.☒ 5) Work faithfully at suitable employment insofar as may be possible.

☒ 6) Do not change his/her present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor. CRIME LAB FEE: \$50.00 JCSA 10% - \$100.00 GCVEF FEE: \$3.00/MO

☒ 7) Support his/her legal dependants to the best of his/her ability.

DRUG FEE 50% - \$500.00

VAP 5% - \$50.00

☒ 8) Probationer shall, from time to time upon oral or written request by any Probation Officer, produce a breath, urine, and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States.

IT IS FURTHER ORDERED that the defendant pay a fine in the amount of \$1,000.00 CT.III plus \$50 or 10%, whichever is less pursuant to O.C.G.A. 15-21-70, and pay restitution in the amount of \$20.00/MO Probation Fee \$300.00 Court Costs \$300.00 Attorney's Fees.

Payments are: to be paid to the State Probation Office, 1331 Citizens Parkway, Suite 201, Morrow, GA 30260 at rate of \$70.00 per month beginning 8/10/00. Monthly probation fee and GCVEF

Fee to be paid thru assigned probation office for term of probation beginning 8/10/00.

All court costs, extradition costs, or costs of apprehension related to a violation of

probation by defendant will be assessed against defendant. Defendant shall submit his

person, vehicle and/or residence to search for drugs (drugs only) at all times by any

proper officer without a warrant.

IT IS THE FURTHER ORDER of the Court, and the defendant is hereby advised that the Court may, at any time, revoke any conditions of this probation and/or discharge the defendant from probation. The probationer shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation.

The defendant was represented by the Honorable Bobby E. Farmer

Attorney at Law, CLAYTON County,

by (Employment) (Appointment).

By the Court _____, 19 _____

So ordered this 10th day of July, 2000

William H. Ison
WILLIAM H. ISON

Judge, Clayton Superior Court

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Sentence of Probation has been delivered in person to the defendant and he/she instructed regarding the conditions as set forth above.

This 10th day of July, 2000

Copy received and instructions regarding conditions acknowledge.

This 10th day of July, 2000

Jerry Lamar Lett
JERRY LAMAR LETT

GOVERNMENT
EXHIBIT
P 10

Deputy Clerk

19

day of

Filed in Open Court, this

PETITION FOR MODIFICATION /REVOCATION OF PROBATION
DEPARTMENT OF CORRECTION/COMMUNITY CORRECTIONS DIVISION

STATE OF GEORGIA

FILED
CLAYTON CO., GA

NO.2000-CR-00920-2, MAY TERM.

VERSUS

2001 SEP 19 AM 10:19 2000, SUPERIOR COURT

JERRY LAMAR LETT

LINDA W. MILLER
CLERK SUPERIOR COURT

OF CLAYTON COUNTY

Now comes Elliott Spencer, II, P.O.II, MORROW PROBATION OFFICE, CLAYTON JUDICIAL CIRCUIT, In the name and behalf of the State of Georgia, and bring this action against Jerry Lamar Lett, hereinafter called the Defendant, and shows:

I

That the Defendant entered a plea of guilty to (was convicted of) the offense of Ct.III-Possession Of Cocaine at the May Term, 2000.

II

That this Court on the 10th day of July, 2000, did sentence the Defendant to serve as follows: Ct.III-Five (5) years concurrent with Ct.I.

III

That this Court, by proper order, however, permitted the Defendant to serve said sentence on probation, the terms and conditions of which are fully set forth in the copy of said sentence which is attached hereto, marked as Exhibit 'A', and specifically incorporated herein.

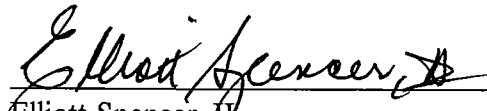
IV

That the Defendant has violated the terms and conditions of probation in the following particulars: **FAILURE TO PAY AS ORDERED**; fine/surcharge \$1000/\$50, JCSA \$100, Drug \$500, Attorney \$300, Crime lab \$50, Law library \$2 and a probation fee of \$23 per month. As of 8/29/00, defendant is \$333 in arrears. Last payment on 8/9/01. **FAILURE TO APPEAR**; defendant failed to appear for an Administrative Hearing on 7/12/01. **FAILURE TO OBTAIN PERMISSION TO LEAVE THE STATE OF GEORGIA**; on 8/21/01, P.O. Spencer,II received a call from defendant's mother who reported defendant was in the State of Alabama to visit a sick daughter. He had no prior permission to be there.

V

WHEREFORE, the State of Georgia prays that the citation for modification/revocation of probation be served on the Defendant and that the Defendant be directed to appear before this Court on a day to be fixed by the Court and at that time to show cause why probation should not be modified/revoked.

This 4th day of September, 2001.


Elliott Spencer, II
Probation Officer, II
Clayton Judicial Circuit

ORDER

Having read and considered the foregoing petition, it is hereby ordered that the Defendant be served with a copy of same and that the Defendant show cause before me on the 18th day of September, 2001 at COURTHOUSE in JONESBORO, GEORGIA at 9:00 a.m. why said probation should not be modified/revoked.

This 10 day of September, 2001.

2001 SEP 19 AM 10:19

William H. Ison
LINDA T. MILLER JUDGE, William H. Ison
CLERK SUPERIOR COURT SUPERIOR COURT CLAYTON COUNTY

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing petition upon the Defendant in person.

This 7th day of September, 2001.

Elliott Spencer, II
Elliott Spencer, II
Probation Officer, II

ACKNOWLEDGMENT

I hereby acknowledge service of the foregoing petition and that I am aware that I may employ legal representation at said hearing or be represented otherwise as the Court may direct.

This 7th day of September, 2001.

Jerry Lamar Lett
Jerry Lamar Lett

WHEREAS, pursuant to notice given to the Defendant, a full hearing was conducted by this Court on the date aforesaid in accordance with OCGA 42-8-38, 17-10-1(a) (3) (A) and the Court has adjudged that the terms of probation had been violated as set forth in the following particulars:

FAILURE TO PAY AS ORDERED

FAILURE TO APPEAR

FAILURE TO OBTAIN PERMISSION TO LEAVE THE STATE

 X Technical violation of probation conditions

 New non-violent misdemeanor offense

And Revocation/Modification is therefore limited in accordance with OCGA 17-10-1 (a) (3) (A) to a Community Corrections Alternative or County Jail.

-----OR-----

 New violent misdemeanor offense

 Serious infraction of rules/regulations in a Community Corrections facility

 New felony offense

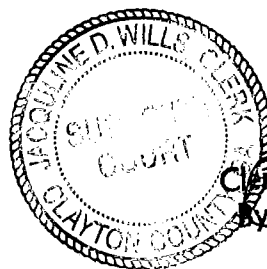
And the Defendant is therefore eligible in accordance with OCGA 17-10-1 (a) (3) (A) for Revocation / Modification of sentence to Prison, or a Community Corrections Division Alternative, or County Jail.

NOW, THEREFORE, it is ordered and adjudged that the probation provisions in said original sentence be: (check) Revoked in accordance with OCGA 42-3-38, 17-10-1 (a) (3) (A) and the Defendant is hereby required to serve in the Clayton County Jail, County Correctional Institution, State Penal System, or such other place as the Commissioner of Corrections may direct; or (check) X Continued, under supervision subject to the further provisions that: Defendant pay \$333.00 arrearage and be released on time served.

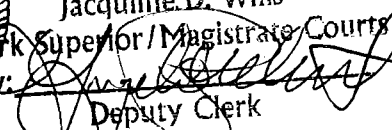
This 7th day of Setpember, 2001.

William H. Ison
JUDGE, William H. Ison
SUPERIOR COURT CLAYTON COUNTY

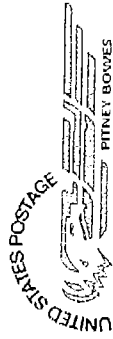
 Restitution Owed



I certify that this is a
true copy of the
original document.
Jacqueline D. Wills

Clerk Superior/Magistrate Courts
By: 
Deputy Clerk

Jacqueline D Willis
Clerk of Superior Court
Court Records Division
9151 Tara Blvd. Room 1CL19
Jonesboro GA 30236-4912



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